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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,350	09/12/2003	Kay Hans-Peter Winkler	5646-00900 S37957US	6745
<div>7590 07/03/2007</div> <div>Jeffrey C. Hood Meyertons, Hood, Kivlin, Kowert & Goetzel P.O. Box 398 Austin, TX 78767</div> <div>EXAMINER ALMEIDA, DEVIN E</div> <div>ART UNIT PAPER NUMBER</div> <div>2132</div> <div>MAIL DATE DELIVERY MODE</div> <div>07/03/2007 PAPER</div>				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,350

Applicant(s)

WINKLER ET AL.

Examiner

Devin Almeida

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/20/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to the papers filed 9/12/2003. Claims 1-23 were received for consideration. No preliminary amendments for the claims were filed. Currently claims 1-23 are under consideration.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 4/20/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claim 2 the term atomic process is not defined in the specification and it is unknown as to what the term means. For application of art the claim is going to be construed as only storing the message if the signature is validated.

With respect to claim 13 the term atomic process is not defined in the specification and it is unknown as to what the term means. For application of art the claim is going to be construed wherein in said integrated receiving and generating process said message to be sent is received and said signature is generated.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7, 8, 10, 12, 13, 18, 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kinnis (WO 01/13574). With respect to claim 1, a method for validating a message with a signature, wherein said method comprises: receiving said message with said signature (see page 15 lines 19-24 i.e. The digital signature service receives the signature file. The certificate, document and signature are extracted from the signature file.); and carrying out an integrated validation and storing process, wherein said signature is validated based on a validation algorithm (see page 16 line 11 – page 17 line 9 i.e. message digest) and a key (see page 16 line 11 – page 17 line 9 i.e. certificate's public key) and said received message is stored in a database (see page 15 lines 8-15 i.e. if the document is verified through the digital signature, the document and the signature are stored in a persistent data store such as data store 700).

With respect to claim 2, wherein in said integrated validation and storing process said message is stored and said signature is validated within one atomic process (see page 15 lines 8-

15 i.e. if the document is verified through the digital signature, the document and the signature are stored in a persistent data store such as data store 700).

With respect to claim 3, wherein the storing process is rolled back, if the signature is not valid (see page 15 lines 8-15 i.e. if the document is verified through the digital signature, the document and the signature are stored in a persistent data store such as data store 700).

With respect to claim 4, wherein the storing process is completed, if the signature is valid (see page 15 lines 8-15 i.e. if the document is verified through the digital signature, the document and the signature are stored in a persistent data store such as data store 700).

With respect to claim 7, wherein the integrated validation and storing process is carried out by said database (see figure 1 element 100 Digital Signature Service and page 15 line 7 – page 17 line 9).

With respect to claim 8, wherein the integrated validation and storing process is controlled by said database (see figure 1 element 100 Digital Signature Service and page 15 line 7 – page 17 line 9).

With respect to claim 10, wherein said signature is a digital signature (see page 15 line 7 – page 17 line 9).

With respect to claim 12, a method for generating a signature for a message, wherein said method comprises: carrying out an integrated receiving and generating process, wherein said message to be sent is received and said signature is generated based on a signing algorithm (see page 12 line 23 – page 15 line 5 i.e. message digest) and a key (see page 12 line 23 – page 15 line 5), and sending said message with said signature (see figure 5 and page 15 lines 3-5 i.e. once

the signature file has been created the user of the digital signature service may use any means available to send a file to a recipient).

With respect to claim 13, wherein in said integrated receiving and generating process said message to be sent (see figure 5 and page 15 lines 3-5 i.e. once the signature file has been created the user of the digital signature service may use any means available to send a file to a recipient) is received (see page 15 lines 19-24 i.e. The digital signature service receives the signature file) and said signature is generated (see page 12 line 23 – page 15 line 5).

With respect to claim 18, wherein said integrated receiving and generation process is carried out in a database (see figure 1 element 100 Digital Signature Service and page 15 line 7 – page 17 line 9), where said message to be sent is stored (see page 15 lines 8-15 i.e. if the document is verified through the digital signature, the document and the signature are stored in a persistent data store such as data store 700).

With respect to claim 19, wherein said signature is a digital signature (see page 15 line 7 – page 17 line 9).

With respect to claim 22, An apparatus for validating a message with a signature, wherein said apparatus comprises: a first means for receiving said message with said signature (see page 15 lines 19-24 i.e. The digital signature service receives the signature file. The certificate, document and signature are extracted from the signature file.); and a second means for carrying out an integrated validation and storing process, wherein said second means are capable and affected to validate said signature based on a validation algorithm (see page 16 line 11 – page 17 line 9 i.e. message digest) and a key (see page 16 line 11 – page 17 line 9 i.e. certificate's public key) and to store said message (see page 15 lines 8-15 i.e. if the document is verified through the

digital signature, the document and the signature are stored in a persistent data store such as data store 700).

With respect to claim 23, An apparatus for generating a signature for a message, wherein said apparatus comprises: means for carrying out an integrated receiving and generating process, wherein said means are capable and affected to receive said message to be sent and to generate said signature based on a signing algorithm (see page 12 line 23 – page 15 line 5 i.e. message digest) and a key (see page 12 line 23 – page 15 line 5); and means for sending said message with said signature (see figure 5 and page 15 lines 3-5 i.e. once the signature file has been created the user of the digital signature service may use any means available to send a file to a recipient).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 11, 14, 15, 17, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnis (WO 01/13574) in view of Slaughter (U.S. 6,643,650). Kinnis teaches everything with respect to claim 1 above but does not teach with respect to claim 5, wherein said received message is locked before the integrated validation and storing process is carried out and released after the integrated validation and storing process has been finished. Slaughter teach using a ACID transaction wherein said received message is locked before the integrated

validation and storing process is carried out and released after the integrated validation and storing process has been finished (see Slaughter column 45 line 63 – column 46 line 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have used ACID since in the event of a failure, all operations and procedures should be undone, and all data should rollback to its previous state (see Slaughter column 45 line 63 – column 46 line 12). Therefore one would have been motivated to have ACID to decrease the effects of failure on the system.

With respect to claim 6, wherein said received signature is locked before the integrated validation and storing process is carried out and released after the integrated validation and storing process has been finished (see Slaughter column 45 line 63 – column 46 line 12).

With respect to claim 11, wherein said integrated validation and storing process is carried out as an ACID transaction. Slaughter teaches wherein said integrated validation and storing process is carried out as an ACID transaction (see Slaughter column 45 line 63 – column 46 line 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have used ACID since in the event of a failure, all operations and procedures should be undone, and all data should rollback to its previous state (see Slaughter column 45 line 63 – column 46 line 12). Therefore one would have been motivated to have ACID to decrease the effects of failure on the system.

With respect to claim 14, wherein said message to be sent is locked before the integrated receiving and generating process is carried out and released after the integrated receiving and generating process has been finished (see Slaughter column 45 line 63 – column 46 line 12).

With respect to claim 15, wherein said key to be used for generating the signature is locked before the integrated receiving and generating process is carried out and released after the integrated receiving and generating process has been finished (see Slaughter column 45 line 63 – column 46 line 12).

With respect to claim 17, wherein said integrated receiving and generating process is carried out as an ACID transaction (see Slaughter column 45 line 63 – column 46 line 12).

With respect to claim 20, Kinnis teaches the method for validating a message with a signature, wherein said method comprises: receiving said message with said signature (see page 15 lines 19-24 i.e. The digital signature service receives the signature file. The certificate, document and signature are extracted from the signature file.); sending a request to a security device (page 12 line 23 – page 13 line 3); validating said signature in said security device (see figure 7 digital signature service and page 15 lines 16-24 i.e. the digital signature service verifies that the signature is from a trusted certificate authority); and storing of said message in response to the result of the validation (see page 15 lines 8-15 i.e. if the document is verified through the digital signature, the document and the signature are stored in a persistent data store such as data store 700). Kinnis does not teach starting an ACID transaction and committing said ACID transaction (see Slaughter column 45 line 63 – column 46 line 12). Slaughter teaches starting an ACID transaction and committing said ACID transaction (see Slaughter column 45 line 63 – column 46 line 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have used ACID since in the event of a failure, all operations and procedures should be undone, and all data should

rollback to its previous state (see Slaughter column 45 line 63 – column 46 line 12). Therefore one would have been motivated to have ACID to decrease the effects of failure on the system.

With respect to claim 21, Kinnis teaches the method for generating a signature for a message, wherein said method comprises: acquiring said message to be signed (page 12 line 23 – page 13 line 3); sending a request to a security device (see figure 5 digital signature service and page 12 line 23 – page 13 line 3); generating said signature for said message in said security device (see page 12 line 23 – page 15 line 5); and sending said message with said signature (see figure 5 and page 15 lines 3-5 i.e. once the signature file has been created the user of the digital signature service may use any means available to send a file to a recipient). Kinnis does not teach starting an ACID transaction and committing said ACID transaction (see Slaughter column 45 line 63 – column 46 line 12). Slaughter teaches starting an ACID transaction and committing said ACID transaction (see Slaughter column 45 line 63 – column 46 line 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have used ACID since in the event of a failure, all operations and procedures should be undone, and all data should rollback to its previous state (see Slaughter column 45 line 63 – column 46 line 12). Therefore one would have been motivated to have ACID to decrease the effects of failure on the system.

Claims 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnis (WO 01/13574) in view of Dickinson et al (U.S. 6,853,988). Kinnis teaches everything with respect to claim 1 above but does not teach with respect to claim 9, wherein said message is an XML-document. Dickinson teach wherein said message is an XML-document (see Dickinson

column 27 lines 16-25). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have wherein said message is an XML-document since XML documents advantageously allow designers to create their own customized document tags, enabling the definition, transmission, validation, and interpretation of data between applications and between organizations (see column 9 lines 38-61). Therefore one would have been motivated to have ACID to decrease the effects of failure on the system.

With respect to claim 16, wherein said message is an XML-document (see Dickinson column 27 lines 16-25).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devin Almeida whose telephone number is 571-270-1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to 5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

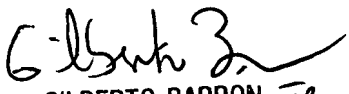
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2132

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DA

Devin Almeida
Patent Examiner
6/26/2007


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